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## PART-I

### Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

#### Order

The 30th July, 2018

**No. SEC/3ME/2018/4497.**— The General Election of Municipal Council, Hansi was held on 22.05.2016 and the result of the elected candidates was declared same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

(a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and

(b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

4. In pursuance of the above provisions, the State Election Commission, Haryana *vide* its Notification No. SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs.1,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Council, Jind and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

5. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized Assistant State Election Commissioner, State Election Commission, Haryana *vide* order No.SEC/1ME/2017/2017, dated 01.12.2017 and further modified *vide* order No.SEC/1ME/2018/842, dated 28.02.2018 to decide the cases of disqualification of the candidates of the said municipality, who failed to lodge their account of election expenses.

6. As reported by the Executive Officer, Municipal Council, Hansi, the following candidates had contested the election of Municipal Council Hansi held on 22.05.2016 but failed to submit their election expenditure account:-

Sr. No.	Name of Candidate	Ward No.
1.	Rajesh	1
2.	Sanjeev Kumar	1
3.	Ajay Kumar	2
4.	Shaily Badhwa	3
5.	Akhil	4
6.	Abhishek	5
7.	Ami Lal	6
8.	Suman Kumar	6
9.	Kavita Rani	7
10.	Sunder Rani @ Sundri	7
11.	Kavita	8
12.	Neha Verma	8
13.	Nisha Saini	15
14.	Radhika Garg	16
15.	Baljit Singh	20
16.	Raman Kant	20
17.	Sunil Kumar	23
18.	Kavita Rani	24
19.	Radhey Shayam	25
20.	Subhash Chander	25
21.	Hari Kishan	25
22.	Karuna	26
23.	Reshma Rani	26
24.	Santosh	26
25.	Vinod Kumar	27

7. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the period. They neither submitted their election expenditure statement nor responded to the show cause notice. I, had given them an opportunity of personal hearing on 27.06.2018 in PWD Rest House, Hisar in the interest of natural justice. Executive Officer of Municipal Council, Hansi has sent a letter No.618, dated 15.06.2018 in which it has been observed that notice of personal hearing has been delivered to all concerned candidate.

8. The above mentioned contesting candidates neither appeared before me nor filed any representation. Therefore, it can be concluded that they have nothing to say in the matter. Hence, they are proceeded ex-parte. The above noted candidates deserve to be disqualified. Hence I, Parmal Singh, Assistant State Election Commissioner, Haryana, hereby order that all the above 25 candidates are disqualified under Section 13D of the Haryana Municipal Act, 1973 read with Section 10A of the Representation of People Act, 1951 for being chosen as, and for being a member of Municipality for a period of three years from the date of this order.

9. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Hisar immediately.

Panchkula:  
The 23rd July, 2018.

PARMAL SINGH,  
Assistant State Election Commissioner, Haryana.